

GOVERNOR'S
REASONS
FOR VETO:

According to the Governor's veto proclamation, it would be a "dangerous delegation of authority" to permit a city or county to bind the state by contract. The Governor's office added that the Governor was concerned that the bill would have allowed a city or county to bind the state for 100 percent of the purchase price prior to the state's receipt of title, and that it would have required the state to front a city or county's 10-percent share of the purchase price. The bill would have violated Art. 3, Sec. 51 of the Texas Constitution, which prohibits the state from pledging its credit "for the payment of the liabilities, present or prospective, of any individual, association of individuals, municipal or other corporation whatsoever."

The Governor also objected to the inclusion of farm-to-market road right-of-way acquisition in the bill. Currently, counties and cities pay the full cost of right-of-way acquisition for farm-to-market roads. The Governor contended that local governments should continue to bear this cost.

SPONSOR'S
VIEW:

Sen. Williams had no comment on the veto.

Number of ballots furnished for elections
(SB 382, by Mauzy)

DIGEST:

SB 382 would have changed the requirements for furnishing election ballots in counties using electronic voting systems. For a party primary, election authorities would have had to provide at least 25 percent more ballots than the actual number of votes cast in the party's last primary. In general elections, ballots would have had to be printed for all registered voters.

GOVERNOR'S
REASONS
FOR VETO:

"Of the two ballot allocation methods approved by the 68th Legislature," HB 1038, by G. Hill, and SB 382, "this bill offers the less practical solution to the problems of ballot shortages at polling places."

SPONSOR'S
VIEW:

Sen. Mauzy said he supports the veto because he proposed the ballot provisions of HB 1038 as a Senate floor amendment. HB 1038 is preferable, he said, because it applies to all Texas counties rather than only the 36 counties that would have been affected by SB 382. HB 1038 does not require that ballots be printed for all of the registered voters in general elections, but the other provisions are essentially the same, Mauzy said.

NOTES:

The HSG analysis of HB 1038 appeared in the May 11 Daily Floor Report.

Fort Bend County Drainage District
(SB 454, by Sharp)

DIGEST:

The bill would have authorized the Fort Bend County Drainage District, with voter approval, to manage ground water to control and prevent land subsidence in the district. No well could have been drilled or operated in the district for withdrawing ground water without a permit from the county commissioners, who serve as the board for the drainage district. In deciding whether to issue a permit, the commissioners would have considered, among other factors, a district plan for controlling subsidence by reducing ground water consumption. Each holder of a well permit would have been required to file an annual report stating the amount of ground water produced each month and specifying the use it was put to. The commissioners would have been authorized to charge well-permit fees, to require water-metering devices on wells, to enter any property in the district, and to seek injunctions and civil penalties for violations. Certain small wells could have been given exemptions by the district.